

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
FOREST LABORATORIES, INC., :
: Plaintiff, : Index No.
: :
: :
- against - :
: :
LEIF NISSEN, :
: :
: :
Defendant. :
-----X

DECLARATION OF CHRISTOPHER SERBAGI

STATE OF NEW YORK)
: ss.:
COUNTY OF NEW YORK)

I CHRISTOPHER SERBAGI, an attorney duly licensed to practice law before this Court, declares the following facts under penalty of perjury:

1. I represent the Plaintiff Forest Laboratories, Inc. in the above-captioned matter and am fully familiar with the facts set forth herein.
2. Attached hereto as Exhibit A is a true and correct copy of a printout of the "about us" page on the web page owned by ENOM, Inc. ("ENOM"). ENOM is the domain name Registrar charged with registering and maintaining the use of the domain name "lexipro.com" for its owner, Defendant Leif Nissen.
3. Attached hereto as Exhibit B is a true and correct copy of a printout from the "whois" section of the web page owned by ENOM, which shows that the Defendant Leif Nissen is the owner of the domain name "lexipro.com."

4. Attached hereto as Exhibit C is a true and correct copy of a printout from a section of the web page owned by ENOM in which it offers the general public the opportunity to purchase the domain name "lexipro.com.

Dated: August 20, 2007
New York, New York


CHRISTOPHER SERBAGI

EX. A

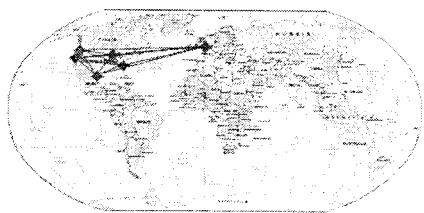
Total Domain Names on the eNom Platform: 9,419,034[Apply for a reseller account](#) | [log-in](#)[whois](#) | [help](#)» [HOME](#) » [about/contact us](#)

About Us

At eNom, we make it simple to set up shop online. Our tools and services help new and experienced users establish a compelling online presence and get the most from their web sites. With just a few clicks, eNom users get everything they need to set up shop online quickly and easily—from domain registration to personalized email to Web hosting and more. eNom products and services grow with our customers, giving them the flexibility and control to customize their services whenever, wherever they like.

The most reliable DNS array in the industry.

eNom services set new standards for reliability, thanks in part to redundant name servers dispersed around world. Each server has multiple high-bandwidth Internet connections, backup power, security, and access to three different major Internet backbones. This powerful system enables to handle millions of transactions with no interruption in service.



Server	Name
Primary	DNS1.NAME-SERVICES.COM
Secondary	DNS2.NAME-SERVICES.COM
Secondary	DNS3.NAME-SERVICES.COM
Secondary	DNS4.NAME-SERVICES.COM
Secondary	DNS5.NAME-SERVICES.COM

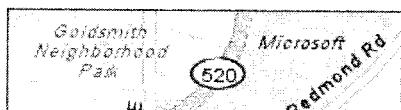
A Global Leader.

Founded in Bellevue, Washington in 1997 as a privately held company, eNom is a leading online provider of domain name registration and other online services to small and home-based businesses, individuals, traffic aggregators and resellers. eNom is the second largest domain name registrar worldwide, and the number one registrar for resellers, with the largest, most active distribution network in the domain industry. eNom is accredited by the Internet Corporation for Assigned Names and Numbers (ICANN).

Directions to eNom's Bellevue offices.

From Sea-Tac Airport

1. Take ramp onto WA-518 EAST toward SEATTLE/TACOMA.
2. WA-518 EAST becomes I-405 NORTH.
3. Take exit #14 onto WA-520 EAST.



TECHNICAL SUPPORT

Online Support:
help & support center

Technical Support:
U.S. 1.425.974.4689
U.K. +44(0)161 2364100

Reseller Only Services:
425.274.4500

CONTACT YOUR RESELLER

If you didn't register your domain directly with eNom, you may have used one of our many high-quality resellers. Enter your domain name below to retrieve the contact information of your reseller.

Enter a Domain Name
(ex. yourdomain.com)

CONTACT US

eNom, Inc.
15801 NE 24th St.
Bellevue, WA 98008 USA

Support Fax:
425.974.4791

Accounting Fax:
425.974.4796

General Email:
info@enom.com

IN THE NEWS

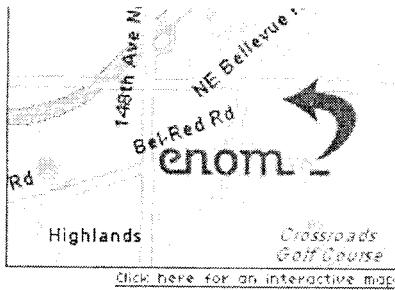
[**eNom purchased by Demand Media**](#)

[**eNom sends speakers to Domain Roundtable Panels**](#)

[**eNom passes five million names**](#)

[**eNom releases multilingual PDQ**](#)

4. Take the 148TH AVE. N.E. SOUTH exit toward 148TH AVE NE.
5. Bear Right on 148TH AVE NE.
6. Turn Left on NE 24TH ST.
7. Take the first Right after the Unigard Park sign.



From Downtown Seattle

1. Take I-5 Northbound.
2. Take the WA-520 exit, exit number 168B, towards BELLEVUE/KIRKLAND.
3. Merge onto WA-520 E.
4. Take the 148TH AVE. N.E. SOUTH exit toward 148TH AVE NE.
5. Bear Right on 148TH AVE NE.
6. Turn Left on NE 24TH ST.
7. Take the first Right after the Unigard Park sign.

From Downtown Bellevue

1. Continue on BELLEVUE WAY NE.
2. Turn Right on NE 8TH ST.
3. Turn Left on 124TH AVE NE.
4. Turn Right on BEL-RED RD.
5. Turn Right on NE 24TH ST.
6. Take the first Right after the Unigard Park sign.

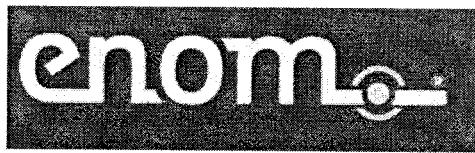
eNom Logos

Please note that all the logos below are the property of eNom Inc. and are for distribution with written permission only. eNom and its logo are a copyright of eNom Inc.

Instructions: Right click over the image you want ("control" key and click on a Mac) and select "Save Picture As".



enom_logo.gif - 235x78 (3.0KB)



enom_logodrk.gif - 235x71 (3.2KB)



enom_logo_small.gif - 120x40 (1.5KB)



enom_logodrk_small.gif - 120x36 (1.6KB)



enom_logo.bmp - 180x44 (24.0KB)



enom_logodrk.bmp - 180x44 (24.0KB)

[Press Release Archive](#)

LEGAL SUPPORT

Legal Department:
legal@enom.com

Send notices of Copyright Infringement to our Bellevue offices adding Attn: Legal to the envelope or subject line.

PAYMENTS BY CHECK

Mail checks to:
eNom, Inc.
Dept CH 10779
Palatine, IL 60055-0779

Overnight mail to:
eNom, Inc.
10779

5505 N. Cumberland Ave,
Ste. 307
Chicago, IL 60656-1471

A 30-day delay on posting funds received on foreign currency checks may apply.

REPORT ABUSE

If you have a problem with an eNom user please [submit your complaint here](#).

Partners: [search the web](#)

[User's Choice Award](#)



CNNIC • com • net • **ICANN** • **GOV**

[demand MEDIA Services](#)

EX. B

Total Domain Names on the eNom Platform: 9,419,034[Apply for a reseller account](#) | [log-in](#)[whois](#) | [help](#)

» DOMAINS » whois

Our WhoIs (Who Is?) page lets the public see information about the owner (the "registrant") of a particular domain name as well as other information about the domain name. Some of this information is maintained by eNom (the "registrar") and some is maintained by the "registry". Only names that are registered by eNom (the "registrar") appear here. Names that are maintained by other registrars will not show up in our WhoIs, even though they are already registered (i.e. taken). You can [see if a name is already taken here](#).

Access to eNom's Whois information is for informational purposes only. eNom makes this information available "as is," and does not guarantee its accuracy. The compilation, repackaging, dissemination or other use of eNom's Whois information in its entirety, or a substantial portion thereof, is expressly prohibited without the prior written consent of eNom. By accessing and using our Whois information, you agree to these terms.

WhoIs Results for **lexipro.com**

Contact Type Registrant

Organization Name:**First Name:** mcse**Last Name:** braindumps**Address 1:** 7800 1st ST N**Address 2:** St. Petersburg,florida,US 33702**City:** NA**StateProvince:****PostalCode:****Country:** US**Phone:** +1.8777391895**Fax:****EmailAddress:** leif@properhosting.com

Contact Type Administrative

Organization Name: St. Petersburg**First Name:** 7800**Last Name:** 1st ST N**Address 1:** florida,**Address 2:****City:** NA**StateProvince:****PostalCode:****Country:** US**Phone:** NA**Fax:****EmailAddress:** NA

Contact Type Billing**Organization Name:****First Name:** Leif**Last Name:** Nissen**Address 1:** 7800 1st st N**Address 2:****City:** St Petersburg**StateProvince:** FL**PostalCode:** 33702**Country:** US**Phone:** +1.8777391895**Fax:****EmailAddress:** enom@properhosting.com**Contact Type Technical****Organization Name:** St. Petersburg**First Name:** 7800**Last Name:** 1st ST N**Address 1:** florida,**Address 2:****City:** NA**StateProvince:****PostalCode:****Country:** US**Phone:** NA**Fax:****EmailAddress:** NA**Other Information****nameserver:** NS2.SEDOPARKING.COM
NS1.SEDOPARKING.COM**updated-date:** 2007-08-15 01:27:51.000**created-date:** 2002-01-25 18:14:35.000**registration-expiration-date:** 2012-01-25 18:14:35.000**status:** registrar-lock**domain:** lexipro.com

Enter the domain name for which you would like to check information.
(i.e. "example.com")

Partners: [search the web](#)

demand MEDIA Services

EX. C

[Home](#) > [Domain Names For Sale By Owner](#)



» [MAKE OFFER](#)

[Proceed to make an offer for lexipro.com](#)

Send an offer to buy [lexipro.com](#)

This co-branded service will present your offer to the owner and help you negotiate the best price, even if the domain name is not listed on Afternic. You remain anonymous until an agreement is reached.

Then, you send your payment to Afternic and we do not release your funds to the seller until the domain is safely transferred to you. This DNescrow™ process guarantees that you will receive the domain or a complete refund.

[eNom](#) works with Afternic to help customers acquire their desired domain names, even if those names are already registered.

What you offer is exactly what you pay. Offers must be at least \$200 USD.

[Continue](#)

[seller's guide](#) | [buyer's guide](#) | [help](#)

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